IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.271 OF 1993

Poonam Gobind Daryanani .. Petitioner.

V/s.

S.K. Laul & Others .. Respondents.

Mr.Murlidharam i/by M/s.Dadhich & Co. for the petitioner.

Mr.R. Asokan for respondent Nos.1 to 3 & 6.

Mr.J.D. Mistri i/by M/s.Little & Co. for respondent Nos.4 and 5.

CORAM : H.L. GOKHALE &
J.P. DEVADHAR, JJ.

DATED : 27TH OCTOBER, 2006.

ORAL JUDGMENT (Per H.L. Gokhale, J.)

1. Heard Mr.Murlidharan in support of this petition. Mr.Asokan appears for respondent Nos.1 to 3 and 6 and Mr.Mistri appears for respondent Nos.4 and 5.

2. This petition is filed by the purchaser of a flat in the building known as "Diamond Court" situated at Nepean Sea Road. The said flat was to be purchased by the petitioner from respondent Nos.4 and 5. It was directed to be compulsory purchased by the order passed by respondent Nos.1 to 3 under Chapter XX-C of the Income Tax Act, 1961. The said order is under challenge in this petition.

3. The seller of this flat filed a separate writ petition being Writ Petition No.290 of 1993 to challenge the very order. We have allowed that petition by separate reasoned order and have quashed and set aside the order of compulsory purchase. We have also directed the NOC to be issued.

4. In view of that order, no separate order needs to be passed in the present petition.

5. The writ petition stands disposed of with no order as to costs.

(H.L. GOKHALE, J.)

(J.P. DEVADHAR, J.)